

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-mj-08353-SMM

UNITED STATES OF AMERICA

v.

CODEY ALLEN BATES,

Defendant

FILED BY MB D.C.

Jul 14, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FTP

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No

Respectfully submitted,

MARKENZIE LAPOINTE
UNITED STATES ATTORNEY

By:

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UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

CODEY ALLEN BATES,

Case No. 23-mj-08353-SMM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2018 - June 2018 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:*Code Section*

18 U.S.C. § 2251(b)

*Offense Description*Production of Child Pornography by a Parent, Legal Guardian, or Person
having custody or control of a minor

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.*Complainant's signature*

HSI Special Agent Aisha Rahman

*Printed name and title*Subscribed and sworn to before me in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone (FaceTime).Date: 07/14/2023*Judge's signature*City and state: Ft. Pierce, Florida

United States Magistrate Judge Shanek Mills Maynard

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Aisha A Rahman, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I have been employed as a Special Agent with Homeland Security Investigations (HSI) since August 2020. Prior to federal employment, I worked for the Port St. Lucie (Florida) Police Department for nearly five-and-a-half years, serving in the capacity of a Police Officer, and a Persons Crimes Detective. Among my responsibilities as an HSI Special Agent, I am trained and empowered to investigate crimes against the United States, as more fully described in Titles 8, 18, 19 and 21 of the United States Code, amongst others. This includes investigating crimes against children, particularly offenses involving child pornography and the exploitation of children, including but not limited to matters related to the sexual exploitation of minors, Internet child pornography, and offenses in violation of Title 18, United States Code, Sections 2251, 2252, 2252A, and 2422 et. seq. I have attended and received training in this area of law enforcement, and have both personally investigated, as well as assisted, in investigations involving the exploitation of children. I have also spoken with and investigated many individuals who have sexually abused children. From those conversations, I am aware of common methods individuals use to sexually exploit children online.

2. I am submitting this affidavit in support of a criminal complaint and arrest warrant for CODEY ALLEN BATES ("BATES"), year of birth: 1994, social security number: XXX-XX-4409. I submit there is probable cause to believe that beginning at least in or about January 2018, and continuing through in or about June 2018, in the Southern District of Florida and elsewhere, Bates produced child pornography in violation of 18 U.S.C. § 2251(b). The term "child pornography," as used in this affidavit, refers to the definition set forth in 18 U.S.C. § 2256(8)(A).

3. Title 18 U.S.C. § 2251(b) prohibits any parent, legal guardian, or person having custody or control of a minor who knowingly permits such minor to engage in, or to assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if such parent, legal guardian, or person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed.

4. The statements contained in this affidavit are based in part on information provided by HSI Special Agents; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; the results of physical and electronic surveillance conducted by law enforcement agents; and my experience, training and background as a Special Agent with the HSI. Since this affidavit is being submitted for the purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe CODEY ALLEN BATES has violated 18 U.S.C. § 2251(b).

PROBABLE CAUSE

5. On July 13, 2023, your Affiant received information from HSI Cyber Crimes Center (C3) pertaining to Codey BATES (hereinafter referred to as “BATES”). The following information was received:

6. A United Kingdom (UK) Foreign Law Enforcement Agency reviewed the devices of a suspect of an investigation in the UK. During this review, a video of child sexual abuse was recovered. The UK provided that the video was titled “American Daddy N Boy-11” and was possibly from 2018. This video was also provided to HSI.

7. HSI agents reviewed the video which depicts an adult male masturbating. The adult male went off-camera for a brief period then reappeared with a male toddler (Minor Victim 1 or “MV1”) who appeared to be less than 2 years’ old. The adult male removed MV1’s diaper, exposing MV1’s genitals to the camera as the focus of the video. The adult male then replaced the diaper on MV1.

8. The adult male then exposed his own genitals to the camera and masturbated again. A short time later, the adult male relocated to a dark area and MV1 can be seen inside a crib. The adult male then placed his penis between the bars of the crib and placed MV1’s hand on his (the adult male’s) penis multiple times. The adult male turned the light on in the room and again puts MV1’s hand on his (the adult male’s) penis. The adult male then relocated to another area with MV1 and placed MV1’s hand on his (the adult male’s) penis and briefly masturbated.

9. Using law enforcement investigative methods, open-source information, and social media, the UK identified Codey BATES as a potential match to the adult male in the video. When reviewing the video, the UK also noted several identifying features on the bedroom wall in the

background, such as a large dreamcatcher, a family caricature portrait, and a first name on the wall.

10. HSI agents conducted records checks in law enforcement databases and identified an individual named Codey BATES, who is and/or was residing in Vero Beach, Florida. The photo on the Florida driver's license of the located Codey BATES clearly resembles the same adult male suspect in the video.

11. Utilizing this information and publicly available social media profiles and posts, HSI was able to identify, locate, and interview the mother of MV1 from the video. During the interview, HSI agents showed sanitized screenshots of the video to MV1's mother who was able to positively identify the location of where the video was produced, which was inside her previous home at 2411 Rue Rd., West Palm Beach, FL, where she resided with BATES from approximately 2016 to 2018. This residence is located in the Southern District of Florida. MV1's mother positively identified the adult male as BATES. MV1's mother identified MV1 as the non-verbal autistic child who was the biological child of BATES and MV1's mother. MV1's mother provided that MV1 was born in November 2016. MV1's mother also positively identified the dreamcatcher, family caricature portrait, name on the wall, bed sheets, and closet from the screenshots shown to her from the video. According to MV1's mother, these items were located in the bedroom that she shared with BATES as well as in MV1's bedroom.

12. MV1's mother also noted that their son appeared to be approximately one years' old in the video. MV1's mother stated that the family caricature portrait seen on the wall in the video was painted on or about January 2018 at a fair. She further stated that she, BATES, and MV1 moved out of the residence around June 2018.

CONCLUSION

13. For these reasons, your Affiant respectfully submits that there is probable cause to believe that CODEY ALLEN BATES violated 18 U.S.C. § 2251(b) within the Southern District of Florida and elsewhere by producing child pornography. I therefore respectfully request that the Court authorize a criminal complaint and arrest warrant for BATES under seal.

Respectfully submitted,



Aisha Rahman
Special Agent
Homeland Security Investigations

Subscribed and sworn to me by applicant by telephone (Facetime) per the requirements of Fed. R. Crim. P. 4(d) and 4.1 on this 13th day of July 2023.



HON. SHANIEK MILLS MAYNARD
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: CODEY ALLEN BATES

Case No: 23-mj-08353-SMM

Count #1:

Production of child pornography

18 U.S.C. § 2251(b)

*** Max. Term of Imprisonment:** 30 years

*** Mandatory Min. Term of Imprisonment (if applicable):** 15 years

*** Max. Supervised Release:** Life (mandatory minimum term of 5 years)

*** Max. Fine:** \$250,000 fine and a \$5,000 special assessment

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**